

## GRANTS FOR LITERARY TRANSLATION 2020

**RESOLUTION** issued on 22 April 2020 by the Director of the Etxepare Basque Institute, which publicizes the procedure for awarding grants for literary translation in 2020, approved by the Executive Committee. @@@

Law 3/2007, dated 20 April, on the Creation and Regulation of Etxepare Euskal Institutua / Etxepare Basque Institute (hereinafter EBI) states that the purpose of the Institute is to: "To promote and disseminate Basque culture abroad in any of its official languages, manifestations, formats, means and forms of expression, especially encourage culture created in the Basque language."

Likewise, in accordance with the provisions of Decree 88/2008 of 13 May 2008, which approves the regulation for the organization and operation of the EBI, the Institute is responsible for disseminating and promoting Basque culture outside the Basque Autonomous Community. Section 19.2.g) of this decree states that the area of action is to promote literature, thought and research in the Basque language through the dissemination scientific thought and research, as well as journals of Basque thought and culture. Moreover, section f) of the aforementioned article establishes that among the functions of the EBI is the design of subsidy programmes for cultural actors with the aim of promoting Basque creation internationally.

For all these reasons, in accordance with the EBI's area of competence, it has been considered of interest to establish the procedure by which grants are awarded for the translation of literary works written in Basque and works by authors from the Basque Autonomous Community.

These grants, as well as the basic criteria for awarding the grants, were approved by the Executive Committee on 25 March 2020 and are included in the Strategic Plan for Grants of the Department of Culture and Linguistic Policy approved for 2018-2020 by Order of the Minister of Culture and Linguistic Policy on 31 January 2018, and published on the Department website (<http://www.euskadi.eus/gobierno-vasco/-/plan-departamental/plan-estrategico-de-subsenciones-del-departamento-2018-2020/>).

### Whereby

### I DECLARE:

#### Article 1. Object.

The purpose of this resolution is to publicize the EBI Executive Committee's agreement which approves, for 2020, the regulation of the grant regime for the translation of:

a) Literary works written and published originally in Basque into other languages.

b) Short literary works written and published originally in Basque into other languages. Works containing fewer than 25,000 characters will be considered short.

c) Literary works originally written and published in Spanish by authors registered in the Basque Autonomous Community into languages other than Basque.

In all cases only first translations will receive funding.

## **Article 2. Financial resources.**

1. The maximum total amount of this call will be thirty-nine thousand (39,000) euros. Of this amount, five thousand (5,000) euros will be allocated to the works described in section b). If this amount is not exhausted, the remaining funds will be allocated to the other sections by resolution of the EBI director. Here, priority will be given to the category with the greatest difference between applications submitted and available funding.

2. Only the cost of translation will be covered, in accordance with the following criteria:

a) Texts with a basic degree of difficulty are priced at 0.012 euros per character, without spaces, based on the source language.

b) Texts with an extraordinary degree of difficulty are priced at 0.021 euros per character, without spaces, based on the source language.

The assessment committee will determine whether a text is of extraordinary difficulty in terms of language. Translations into non-hegemonic languages will be taken into consideration.

Value-added tax shall under no circumstances be regarded as eligible expenditure when the recipient individual or entity is required to file a VAT return.

3. This applies without prejudice to the general provisions of article 31 of Law 38/2003, dated 17 November, on General Subsidies and the implementing regulations thereof.

## **Article 3. Award of the grant.**

1. The grants under this call for proposals will be awarded through a tender procedure. The submissions will be compared and ranked in accordance with the selection and assessment criteria laid down in article 11.

Grants will be awarded starting with the highest-scoring submissions, provided they exceed the minimum score of 50%, until the available financial resources have been exhausted.

2. A single work may not receive funding for translation into more than three languages. Should there be more than three submissions, the three with the highest score would receive the grant.

3. To calculate the grant receivable for each entry, the percentage obtained in the assessment will be applied to the grant amount based on the rates established herein or to the amount specified in the contract (if less than that established in the call).

4. Each application is eligible for a maximum of eight thousand (8,000) euros. Each

applicant is eligible for a maximum of twelve thousand five hundred (12,500) euros in this call.

5. The grants covered by this call will be in line with grants awarded for the same purposes by other public or private institutions, provided there is no over-financing. In the event of over-financing, the amount of the grant will be reduced to the corresponding limit.

#### **Article 4. Recipient individuals or entities.**

Individuals or private legal entities that intend to benefit from the grants under this resolution must meet the following requirements:

- a) Be a natural or legal person engaged professionally in translation or publication or whose activities include translation or publication.
- b) Legal persons must have their head offices outside the Basque Autonomous Community. Natural persons may be registered in the Basque Autonomous Community, provided that the translation is published by a publishing house based outside the Basque Autonomous Community.
- c) Be registered under the relevant activities heading of the Economic Activities Tax prior to the application deadline, if necessary in the country in question.

Exceptionally, this is not required translators who translate their own work.

#### **Article 5. Applicant requirements**

In order to be eligible, applicants must:

- Be up to date with tax social security obligations.
- Not be privately owned entities with majority public capital, foundations or associations with activity not directly related to the sector of the corresponding category.
- Not have received any type of criminal or administrative sanction that render them ineligible for public grants or subsidies.
- Not be subject to any legal prohibition that disqualifies them from receiving public grants or subsidies, particularly related to gender discrimination.
- Concession and, where applicable, payment of the grant will be subject to the termination of any reimbursement or penalty procedure which, having been initiated within the framework of grants or subsidies of the same nature awarded by the General Administration of the Basque Autonomous Community and its autonomous bodies, is still in progress. Furthermore, the concession and, where applicable, payment of the grant shall be subject to repayment of the subsidy received when, on completion of a reimbursement procedure, a decision to that effect has been made.
- The general provisions of Articles 11, 13.2 and 13.3 of Law 38/2003, dated 17 November, on General Subsidies and the implementing regulations thereof shall also apply.

- All the requirements are necessary both to qualify as a beneficiary and to remain so until the grant is paid out.

#### **Article 6. Accreditation of specific requirements for the applicant.**

1. Under the provisions set forth in article 28.2 of Law 39/2015, dated 1 October, on Common Administrative Procedure for Public Administrations, the interested parties have the right not to provide documents that are already in the possession of the acting administration or have been drawn up by any other administration. The administration may therefore consult or obtain these documents unless the party raises an objection. In this case, they shall be accredited by the applicant.

If the individual or entity is from Navarra, a certificate accrediting compliance with tax obligations must be presented. If the applicant is from another country, a certificate accrediting compliance with tax obligations and a social security certificate or equivalent must be presented, as well as any other documentation requested, if applicable.

2. Pursuant to Legislative Decree 1/1997 of 11 November 1997, a sworn declaration shall be included in the application, accrediting the following:

- Notification of the application and, where applicable, receipt of grants, subsidies, income or other resources intended for the same purpose, from any administration or entity, public or private.

- Notification of the application and, where appropriate, receipt of other 'de minimis' financial aid received in the current tax year and the two previous tax years.

- The individual or entity has not been sanctioned administratively or criminally and is therefore not disqualified from receiving public grants or subsidies and is not subject to any disqualifying legal prohibition.

- The applicant declares that the information included in the application and accompanying documentation is accurate and that he/she meets the requirements set out in the current regulations to be a beneficiary of these grants.

3. When the application is submitted on behalf of another person, proof of identity and power of legal representation must be provided via the relevant documents.

#### **Article 7. Governing body of the grants.**

The Department for the Promotion and Dissemination of Basque Culture of the Etxepare Basque Institute is responsible for managing the grants awarded through this call.

The EBI will monitor the progress of the projects, and the recipient shall be required to comply with any inspection or information requests made to this effect.

#### **Article 8. - Submissions and deadlines.**

1. Individuals may submit their applications either in person or electronically:

- In person: applications shall be submitted to the following address: Instituto Vasco Etxepare, Plaza de las Cigarreras, 1, Edificio Tabakalera 3ª planta, Donostia-San Sebastián (20012), between 8:30am and 2:00pm. Applications may also be submitted to the Zuzenean offices of the Basque Government or to the bodies referred to in article 16.4 of Law 39/2015, dated 1 October, on Common Administrative Procedure for Public Administrations.

- By electronic channel: applications shall be submitted through the euskadi.eus website using the links indicated in paragraph 4 of this article.

The use of a channel, either in person or electronically, in the application process and provision of documentation does not require the applicant to use the same means in successive steps of the procedure, and may be modified at any time.

Appointments must be made for in-person submissions.

2. Legal persons must submit applications by electronic means by accessing the web address provided in paragraph 4 of this article.

3. Exceptionally, foreign legal entities may submit their applications both electronically and in person.

4. The specifications on how to submit applications, sworn declarations, justifications and other forms, both in person and electronically, are available via the euskadi.eus website at the following address:

<https://www.euskadi.eus/servicios/1032405>

Procedures by electronic channel subsequent to the application are done through:

<http://www.euskadi.eus//micarpeta>

5. Applications may be submitted, together with the accompanying documentation, in either Basque or Spanish. Likewise, the language chosen by the individual or entity will be used throughout the procedure, as set out in articles 52.a) and 6.1 of Law 10/1982, dated 24 November, on the Normalization of the Use of Basque.

6. For electronic identification, the individual or entity must have a means of electronic identification accepted and published on the Basque Government website.

7. The presentation of applications implies the express and formal acceptance of the terms and conditions of this call.

8. An application shall be submitted for each activity. If an individual or entity submits more than one application, it is not necessary to submit the administrative documentation relative to the applicant more than once.

9. The application deadline is 1 month from the day following publication of the call for applications in the Official Gazette of the Basque Country (BOPV).

10. The translations covered by the grants will be published no later than 30 December 2021.

11. One application per project must be submitted, along with the documentation indicated above and the following:

- a) Book or text to be translated in digital format (Word file).
- b) Sample translation: 15,000 characters (without spaces), in digital format. The sample translation shall not be submitted for the works referred to in paragraph (b) of the Object herein.
- c) Translator's curriculum vitae and publisher's latest catalogue.
- d) Authorization or copyright certificate for the translation and publication of the work.
- e) Translation contract signed by both parties. The contract must include the amount to be paid. If there is no contract, the translator's invoice shall be submitted.
- f) Signed commitment by the publisher.
- g) If the original work is in Spanish, the author's certificate of municipal registry.

#### **Article 9. Rectification of application defects.**

After a maximum of 10 working days from the application submission deadline, the provisional list of those admitted and excluded will be published on the Basque Government's electronic bulletin board. If any of the required documents are missing or if defects or errors are detected therein, or if defects are found in the documents submitted for assessment, the interested party will be required to remedy the problem or provide the required documents within ten working days.

The applicant will also be notified that failure to do so will result in withdrawal of the application or the right to have it processed. After this period, the final list of those admitted and excluded will be published on the Basque Government's electronic bulletin board by resolution of the EBI director.

#### **Article 10. Assessment Committee.**

1. An assessment committee will be set up to analyse and evaluate the applications. The committee will be made up as follows:

- a) President: The director of EBI Promotion and Dissemination of the Basque Language.
- b) Members: between 3 and 5 members appointed by the EBI director, from among experts in each category and administration technicians.
- c) Secretary: a technician from the EBI, appointed by the director, will participate as committee secretary, without the right to vote.

2. When appointing committee members, the provisions of article 3.7 of Law 4/2005, dated 18 February, on Equality Between Women and Men shall be observed.

3. The composition of the Assessment Committee will be determined by the EBI director

and published in the Official Gazette of the Basque Country. In any case, provisions regarding abstention and recusal shall be respected.

### **Article 11. Application assessment criteria and resolution proposal.**

1. The assessment committee will evaluate the submitted applications and present a resolution proposal to the Etxepare Basque Institute director.

2. The main criteria for analysis and assessment will be:

a) Literary interest of the original work to be translated: up to 30% of the total score.

b) Quality of the sample translation: up to 25%.

In the case of the works in paragraph (b) of the Object herein, the percentage of this paragraph shall be prorated among the other paragraphs.

c) Translator's professional career: up to 15%.

d) Publisher's professional trajectory, catalogue and criteria, plans, projects, etc. for the publication's international readership: up to 15%. Dissemination activities abroad will be particularly valued.

e) Characteristics of the publication specified in the contract: print run, size, format and the like: up to 5%.

f) If the translation was made directly from a work originally written in Basque: 10%.

3. In order to qualify for the grant, the applicant must score 50%. However, if the score for the quality of the sample translation or for the publisher's professional trajectory is less than half, the grant will not be awarded, even if the total score is 50%.

### **Article 12. Resolution.**

1. The director of the IVE is responsible for examining the resolution proposals of the Assessment Committee and issuing the corresponding resolution.

2. The resolution will be published on the Basque Government's electronic bulletin board, in accordance with article 45, Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

3. Resolutions will be published no later than four months from the submission deadline. If they are not published by the end of this period, the applications will be deemed rejected, under the terms of article 25 of Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

### **Article 13. Obligations of the recipient individual or entity.**

1. Accept the grant. If, within 15 days from publication of the grant, the recipient does not expressly waive his or her right to the grant in writing, it shall be understood as accepted.



2. Apply the grant to the specific purpose for which it was requested and ensure that the subsidised translation is published before 30 December 2021.

3. Provide information on the grants received in this call to the Economic Control Office of the Basque Department of Treasury and Economy, as well as to the Basque Court of Auditors, if so requested.

4. Use the EBI logo (which will be made available to the applicant on the website) both in the medium used to publish the translation and for presentation and promotion, and in both cases clearly mention the award of the translation grant. The following sentence shall be used for this purpose: 'Liburu honen itzulpenak Etxepare Euskal Institutuaren dirulaguntza izan du. Funding for the translation of this book has been provided by the Etxepare Basque Institute', or the corresponding translation.

5. Notify the EBI of any changes made to the subsidised project, either in writing or, in the case of online applications, through "Mis Gestiones". The EBI will have a period of 15 working days to respond. If there is no response, the change will be considered accepted.

6. The recipient shall grant the EBI authorisation to use the material and images relating to the subsidised project so that it may publish the information on various media.

7. The general provisions of article 14 of Law 38/2003, dated 17 November, on General Subsidies and implementing regulations thereof shall also apply.

#### **Article 14. Payment and justification.**

1. Grants awarded on the basis of this resolution shall be paid in two instalments, as follows:

75% no later than one month from the date of the decision to allocate the grants.

25% no later than six months after completion and justification of the activity.

Any withholdings and payments on account required under current tax legislation will be deducted from the amount of the grant.

Where applicable, the recipient shall request the withholding tax rate for start of activity. This request shall be submitted within the 15 days stipulated in article 13.1 on acceptance of the grant.

2. Individuals may submit justifications either in person or electronically:

- Justifications may be submitted in person at the following address: Instituto Vasco Etxepare, Plaza de las Cigarreras 1, Edificio Tabakalera, 3º, Donostia-San Sebastián (20.012), between 8:30am and 2:00pm. Similarly, justifications may be presented at the Zuzenean offices of the Basque Government or to the bodies set forth in article 16.4 of Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

- Justifications may also be submitted by electronic means to:



<http://www.euskadi.eus//micarpeta>

3. Legal entities must submit the justifications by electronic means through the URL mentioned above.

4. Exceptionally, foreign legal entities may submit their applications both electronically and in person.

5. The specifications on how to process justifications, both by physical and electronic means, are available at euskadi.eus at the web addresses indicated in article 8.4 of this resolution.

6. A period of two months from the publication date will be allowed for grant justification. If publication is in December 2021, this period will be one month.

7. The following documents shall be submitted for justification:

a) 3 copies of the published translation in print format or a digital copy or access to the digital edition.

b) Document justifying payment to the translator, if the applicant is the publisher.

c) List of other grants received for the same purpose after submission of the application. If no other subsidy has been received in addition to that granted by the EBI, a sworn statement to that effect must be submitted.

d) The general provisions of article 30 of Law 38/2003, dated 17 November, on General Subsidies and implementing regulations thereof shall also apply.

#### **Article 15. Resolution of payment**

If the grant is not duly justified or if for any reason the amount of the grant is reduced or withdrawn, the EBI director shall, within two months of the deadline for the submission of supporting documents, issue an individual resolution of payment in accordance with the principle of proportionality.

#### **Article 16. Non-compliance events.**

1. Failure to comply with the obligations set out in this resolution or in provisions of a more general nature.

2. Allocate all or part of the grant awarded to an activity other than that provided for in this resolution.

3. Where applicable, failure to repay the amount determined in the resolution of grant payment in the specified time limit.

4. If the above is confirmed, it will be understood that a non-compliance event has occurred, and the recipient individual or entity must reimburse the EBI the amounts received plus the legal rate of interest, in accordance with the provisions of Legislative Decree 1/1997, dated 11 November, and Decree 698/1991, dated 17 December.

5. The general provisions of Articles 37 and 40.1 of the General Law on Subsidies and implementing regulations thereof shall also apply.

### **ADDITIONAL PROVISIONS**

**First.** Depending on the total amount of grants requested, the amount stipulated in Article 2 may be increased, provided that funding has not been exhausted after other EBI grant calls are finalized. This adjustment shall be made prior to the decision regarding the applications. In this case, the aforementioned adjustment will be announced by a resolution of the EBI director on the Basque Government's electronic bulletin board.

**Second.** Any financial aid or grant referred to in this resolution shall be subject to Commission Regulation (EC) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty to 'de minimis' aid (OJEU, L 352, 24.12.2013). This aid is considered 'de minimis', since no total aid granted to a specific legal or natural person will exceed EUR 200,000 over three fiscal years. Below this limit, aid is deemed not to affect trade or distort competition and therefore does not fall under Article 107(1) of the Treaty on the Functioning of the European Union.

The individual or entity applying for the grant must declare any other 'de minimis' financial aid received in the relevant fiscal year and over the previous two fiscal years in order to **prove that the new 'de minimis' aid does not exceed the ceiling set out in the Regulation.**

**Third.** Information clause on personal data protection.

Responsible body: Etxepare Basque Institute.

Purpose: Grants for literary translation.

Legitimation: processing necessary for the performance of a task carried out in the public interest or in the exercise of the official authority conferred on the controller (General Law on Subsidies and Organizational Principles of the General Treasury of the Basque Country).

Receiving party: personal data may be provided to public administrations with competence in the area.

Rights: the applicant has the right to access, rectify and delete his/her data, and limit or oppose processing, as explained in the additional information.

Additional information: the applicant may obtain further information on data protection at the following web address: [www.euskadi.eus/rgpd/1032405](http://www.euskadi.eus/rgpd/1032405)

### **FINAL PROVISIONS**

**First.** An appeal for reconsideration may be lodged with the EBI's Board of Directors against this agreement, which shall exhaust administrative procedures, within one month from the day following its publication, or an administrative appeal may be submitted to the competent chamber of the High Court of Justice of the Basque Country within two months

from the day following its publication.

**Second.** This resolution shall take effect on the day after its publication in the Official Gazette of the Basque Country.

Donostia-San Sebastián, 22 April 2020.

**Etxepare Basque Institute Director,**

**IRENE LARRAZA AIZPURUA**